

United States Postal Service

§ 952.5

§ 951.8 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d) and 557(d) prohibiting ex parte communications are made applicable to proceedings under these rules of practice.

[42 FR 5357, Jan. 28, 1977]

PART 952—RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO FALSE REPRESENTATION AND LOTTERY ORDERS

Sec.

- 952.1 Authority for rules.
- 952.2 Scope of rules.
- 952.3 Informal dispositions.
- 952.4 Office business hours.
- 952.5 Complaints.
- 952.6 Interim impounding.
- 952.7 Notice of answer and hearing.
- 952.8 Service.
- 952.9 Filing documents for the record.
- 952.10 Answer.
- 952.11 Default.
- 952.12 Amendment of pleadings.
- 952.13 Continuances and extensions.
- 952.14 Hearings.
- 952.15 Change of place of hearings.
- 952.16 Appearances.
- 952.17 Presiding officers.
- 952.18 Evidence.
- 952.19 Subpoenas.
- 952.20 Witness fees.
- 952.21 Depositions, interrogatories, requests for admission of fact and production of documents.
- 952.22 Transcript.
- 952.23 Proposed findings and conclusions.
- 952.24 Decisions.
- 952.25 Exceptions to initial decision or tentative decision.
- 952.26 Judicial Officer.
- 952.27 Motion for reconsideration.
- 952.28 Orders.
- 952.29 Modification or revocation of orders.
- 952.30 Supplemental orders.
- 952.31 Computation of time.
- 952.32 Official record.
- 952.33 Public information.
- 952.34 Ex parte communications.

AUTHORITY: 39 U.S.C. 204, 401, 3005.

SOURCE: 36 FR 11563, June 16, 1971, unless otherwise noted.

§ 952.1 Authority for rules.

These rules of practice are issued by the Judicial Officer of the U.S. Postal Service (See § 952.26) pursuant to authority delegated by the Postmaster General.

§ 952.2 Scope of rules.

These rules of practice shall be applicable in all formal proceedings before the Postal Service, 39 U.S.C. 3005, including such cases instituted under prior rules of practice pertaining to these or predecessor statutes, unless timely shown to be prejudicial to the respondent.

[36 FR 11563, June 16, 1971, as amended at 52 FR 36763, Oct. 1, 1987]

§ 952.3 Informal dispositions.

These rules do not preclude the disposition of any matter by agreement between the parties either before or after the filing of a complaint when time, the nature of the proceeding, and the public interest permit.

§ 952.4 Office business hours.

The offices of the officials mentioned in these rules are located at 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078, and are open Monday through Friday except holidays from 8:15 a.m. to 4:45 p.m.

[63 FR 66050, Dec. 1, 1998]

§ 952.5 Complaints.

When the General Counsel of the Postal Service or his designated representative believes that a person is using the mails in a manner requiring formal administrative action under 39 U.S.C. 3005, he shall prepare and file with the Recorder a complaint which names the person involved; states the name, address and telephone number of the attorney representing Complainant; states the legal authority and jurisdiction under which the proceeding is initiated; states the facts in a manner sufficient to enable the person named therein to make answer thereto; and requests the issuance of an appropriate order or orders. Complainant shall attach to the complaint a copy of the order or orders requested which may, at any time during the proceedings, be modified. The person named in the complaint shall be known as the "Respondent", and the General Counsel shall be known as the "Complainant."

The term "person" (1 U.S.C. 1) shall include any name, address, number or